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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 30866 Total Pages 28

First Named Inventor or Application Identifier

Robert G. Maier

Express Mail Label No. EL010293604US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. Specification [Total Pages 12]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. Drawing(s) (35 USC 113) [Total Sheets 4]
4. Oath or Declaration [Total Pages 2]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]
 - i. DELETION OF INVENTOR(S)
Signed statement attached deleting
inventor(s) named in the prior application,
see 37 CFR 1.63(d)(2) and 1.33(b)
5. Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b., is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

6. Microfiche Computer Program (Appendix)
7. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Copy
 - b. Paper Copy (identical to computer copy)
 - c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. Assignment Papers (cover sheet & document(s))
9. 37 CFR 3.73(b) Statement Power of Attorney
10. English Translation Document (if applicable)
11. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations 24
12. Preliminary Amendment
13. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
14. Small Entity Statement filed in prior application, Statement(s) Status still proper and desired
15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. Other

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

 Continuation Divisional Continuation-in-part (CIP) of prior application No. 08 /

18. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label
or Correspondence address below

(Insert Customer No. or Attach bar code label here)

NAME	Michael W. Garvey			September 14, 1998	
	Pearne, Gordon, McCoy & Granger LLP				
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COUNTRY	US	TELEPHONE	(216) 579-1700		FAX (216) 579-6073

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ro-Mai Industries, Inc.

Title: "HOUSING ASSEMBLY WITH BEVELED RETAINERS FOR
INSTALLATION IN A WINDOW FRAME"

Docket No. 30866

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS

I hereby declare that I am an officer of the concern identified below and am empowered to act on its behalf.

The concern qualifies as a small business concern as defined in 37 C.F.R. § 1.9 for purposes of paying reduced fees, in that the number of employees thereof, including those of its affiliates, does not exceed 500 persons.

The exclusive rights to the invention described and claimed in the above-identified application have been conveyed to and remain with the concern, or if the rights are not exclusive, all other rights belong to small entities as defined in 37 C.F.R. § 1.9.

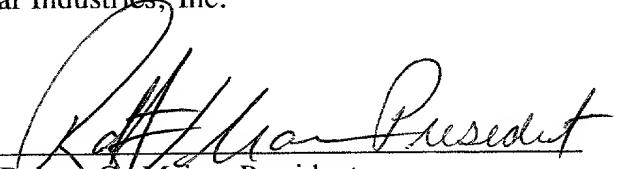
I acknowledge the duty to file, in this application, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Ro-Mai Industries, Inc.

By:


Robert G. Maier, President
Ro-Mai Industries, Inc.

Date:

Sept. 11-1998

1 HOUSING ASSEMBLY WITH BEVELED RETAINERS FOR INSTALLATION IN
2 A WINDOW FRAME

3 CROSS-REFERENCE TO RELATED APPLICATIONS
4 Not Applicable

5 STATEMENT REGARDING FEDERALLY SPONSORED
6 RESEARCH OR DEVELOPMENT

7 Not Applicable

8 BACKGROUND OF THE INVENTION

9 This invention relates generally to the field of
10 window hardware and specifically to a tilt latch or pivot
11 housing.

12 Double hung windows are provided with counterbalances
13 for maintaining a sash in an elevated position. Springs or
14 weights connected to the sash act as the counterbalance.
15 Many window sashes are adapted for tilting inwardly for
16 cleaning. The sash tilts on a pivot assembly at the bottom
17 of the sash. Spring operated tilt latches at the top of
18 the sash retain the sash in the vertical position and are
19 released for pivoting of the sash. Latches, generally tilt
20 latches, are shown, for example, in U.S. Patents Nos.
21 4,837,975 to Simpson, 4,901,475 to Simpson, 4,167,835 to
22 Nobes, 4,578,903 to Simpson, 4,475,311 to Gibson, 4,955,159
23 to Rogers, 4,869,020 to Andres, 4,961,286 to Bezubic,
24 4,790,579 to Maxwell, 4,553,353 to Simpson, 4,400,026 to
25 Brown, 4,791,756 to Simpson, 4,320,597 to Sterner,
26 4,640,048 to Winner, 4,622,778 to Simpson, 4,624,073 to
27 Randall, 4,669,765 to Ullman, 5,301,989 to Dallmann,
28 5,028,083 to Mischenko, 5,096,240 to Schultz, 5,127,685 to
29 Dallaire, 5,165,737 to Riegelman, 5,014,466 to Winner, and
30 5,139,291 to Schultz, all of which are incorporated herein
31 by reference.

1 Figs. 10 and 11 show a prior art tilt latch housing.
2 A housing 250 includes a bottom wall 254, side walls 256, a
3 rear wall 258, and a top wall 260 defining a hollow cavity
4 262 opening at a front end of the housing. The top wall
5 260 defines a flange 264 at the top of the side and rear
6 walls 256, 258. Retainers 261 project from the side walls
7 256 and rear wall 258. Each retainer is flared, that is,
8 the retainer slopes outwardly from the wall to a lip 269
9 that defines a catch for engaging edges of a notch in a
10 header rail of a sash. The space between the lip 269 and
11 flange 264 defines a gap or short groove 263 for receiving
12 an edge of the sash therein. A bottom retainer 270
13 projects downwardly from the bottom wall 254 near the front
14 end of the housing 250.

15 BRIEF SUMMARY OF THE INVENTION

16 The present invention provides a housing for
17 installation in a window frame having a window sash with a
18 notch defining a pair of opposed edges. The housing
19 includes side walls, a rear wall, and a top wall extending
20 beyond the side walls and rear wall to define a flange. A
21 retainer, such as a protuberance, projects from each of the
22 side walls. Each retainer has a retaining surface spaced
23 from the flange for receiving one of the opposed edges
24 therebetween. The retainer is beveled to define a rearward
25 camming surface.

Preferably, the side walls are provided with plural retainers for receiving one of the opposed edges between the retainer and the flange and each being beveled. A rear protuberance projects from the rear wall and is spaced from the flange to define a gap for receiving the rear edge of the notch. The housing also includes a bottom wall and a retainer projecting from the bottom wall near a front edge of the bottom wall. A pivot bar or movable bolt projects from the housing.

1 The invention also includes a window sash assembly. A
2 sash has a header rail and a stile joined at a corner and
3 having an opening in the sash. A tilt latch disposed in
4 the opening includes a housing having side walls, a rear
5 wall, and a bottom wall. A top wall extends beyond the
6 side walls and rear wall to define a flange. A retainer
7 projects from each of the side walls, each retainer having
8 a retaining surface spaced from the flange for receiving
9 one of the edges therein. A bolt is movably disposed in
10 the housing and adapted for engaging a slide channel. Each
11 retainer is beveled to define a rearward camming surface.

12 BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING

13 Fig. 1 shows a perspective view of a double hung
14 window according to the invention;

15 Fig. 2 shows a perspective view of a tilt latch and
16 part of a sash of the window;

17 Fig. 3 shows a side elevational view of the tilt
18 latch;

19 Fig. 4 shows an end view of the latch;

20 Fig. 5 shows a bottom view of the latch with the
21 bottom cover removed;

22 Fig. 6 shows a top view of the latch;

23 Fig. 7 shows a perspective view of a pivot assembly
24 and part of the sash;

25 Fig. 8 shows an end view of the pivot assembly;

26 Fig. 9 shows a side view of the pivot assembly; and

27 Figs. 10 and 11 show a prior art tilt latch.

28 DESCRIPTION OF THE INVENTION

29 Referring to Fig. 1, a double hung window assembly 10
30 includes an upper sash 11 and a lower sash 12 that are
31 slidable in a window frame 14. The lower sash 12, for
32 example, includes vertically disposed stiles 16 and
33 horizontally disposed rails 18 including an upper, header

1 rail and a lower, footer rail. The window frame includes
2 vertical jambs 20 defining opposed vertical slide channels
3 22 or tracks. Brake assemblies 24 are slidable in
4 respective slide channels 22. Lower corners of the sash 12
5 are provided with pivot assemblies 26 that are associated
6 with respective brake assemblies 24 to define pivot and
7 brake assemblies. The brake assemblies 24 are supported by
8 respective counterbalances, such as balance springs 28
9 disposed in the slide channels 22. Tilt latches 30 are
10 disposed in upper corners of the sash 12 for releasably
11 retaining the upper end of the sash in the slide channels
12 22.

13 Referring to Fig. 2, an opening 32 is cut in the sash
14 12 for receiving the tilt latch 30 therein. The opening 32
15 includes a slot 34 in the header rail 18 defined by opposed
16 edges 36 blending into a U-shaped rear edge 38. The
17 opening also includes a slot 40 in the stile 16 defined by
18 opposed edges 42 and a bottom edge 44. The edges 36 of the
19 header slot 34 meet the edges 42 of the stile slot 40 so
20 that the opening 32 is continuous.

21 The tilt latch 30 includes a housing 50 and a movable
22 bolt 52 projecting therefrom. The housing 50 is sized to
23 fit in the opening 32 so that the bolt 52 extends outwardly
24 from the stile 16.

25 Referring to Figs. 3 and 4, the housing 50 includes a
26 bottom wall 54, side walls 56, a rear wall 58, and a top
27 wall 60 defining a hollow cavity 62 opening at a front end
28 of the housing. The top wall 60 defines a flange 64 at the
29 top of the side and rear walls 56, 58. A plurality of
30 retainers 65 are provided at the side walls. The retainers
31 65 are beveled in two directions. Each retainer is
32 vertically flared, that is, the retainer slopes outwardly
33 in an upward direction and intersects an engagement surface
34 67 to define a lip 69 spaced from the flange 64. The
35 engagement surface 67 is generally perpendicular to the
36 side wall 56, but preferably slopes slightly downwardly.
37 Preferably, the upward slope defines an arcuate vertical

1 camming surface 66 having an increasing slope. Each
2 retainer also slopes outwardly in a forward direction to
3 define a rearward camming surface 68 from the side wall 56
4 to a point on the lip 69. The number and spacing of the
5 retainers 65 depend on the dimensions of the window sash
6 and housing. One or more protuberances 72 or rear flanges
7 project from the rear wall 58 and have a lip 74 or face
8 spaced from the flange 64 to define a gap 75.

9 Referring to Figs. 5 and 6, the bolt 52 is slidably
10 disposed in the cavity 62 of the housing. A spring 76
11 biases the bolt 52 forwardly to an extended position. A
12 post 78 extends between the top and bottom walls 60, 54
13 through a slot 80 of the bolt 52 and limits forward travel
14 of the bolt. The post 78 can provide for securing upper
15 and lower components of the housing. When the housing is a
16 single piece, the post can be omitted. A knob 88 provided
17 on the top surface of the bolt 52 projects through a slot
18 90 in the top wall 60 of the housing. A nose 89 of the
19 bolt is adapted for engaging in the slide channel 22 (Fig.
20 1) for retaining the sash in the window frame. The sash is
21 releasable by use of the knob 88 to retract the bolt 52
22 thereby disengaging the nose 89 from the channel 22.

23 Referring to Fig. 2, the tilt latch 30 is installed in
24 the sash 12. The rear end of the housing 50 is placed
25 adjacent the opening 32 in the stile 16. The housing 50 is
26 moved longitudinally so that the rearward camming surfaces
27 68 of the rear retainers 65 spread the edges 42 and/or
28 force the retainers 65 inwardly by flexing the side walls
29 56, thus allowing the retainer to pass through the slot 40.
30 The edges 36 of the slot 34 are received between the
31 retainers 65 and the flange 64 near the rear end of the
32 housing. As the housing 50 is moved longitudinally, the
33 front retainers 65 pass through the slot similarly to the
34 rear retainers and the edges are received between the
35 retainers 65 and the flange 64 until the rear wall 58
36 engages the rear edge 38 and the retainer 70 engages behind
37 the wall of the stile 16 adjacent the bottom edge 44. The

1 rear edge 38 is received in the rear gap 75. The retainers
2 engage the edges 36 along portions of the length of the
3 slot 34 providing a snug fit.

4 The tilt latch can also be installed according to an
5 alternative installation method (not shown). The rear wall
6 58 of the housing 50 is placed against the rear edge 38 of
7 the slot 34 so that the rear edge 38 is received in the
8 rear gap 75. The front end of the housing 50, near the
9 projecting nose 89, is then forced downwardly. The
10 downward camming surfaces 66 spread the edges 36 and/or
11 force the retainers 65 inwardly by flexing the side walls
12 56, thus allowing the retainers to pass through the slot
13 34. The retainers 65 move past the edges 36 so that the
14 edges 36 are received between the retainers 65 and the
15 flange 64. The retainers 65 engage the edges 36 along
16 portions of the length of the slot 34 providing a snug fit.
17 The retainer 70 engages behind the wall of the stile 16
18 adjacent the bottom edge 44.

19 Referring to Figs. 7, 8 and 9, the pivot assembly 26
20 includes a housing 132 with a pivot bar 134 located
21 therein. The housing 132 includes a body 136 having a
22 longitudinal bore 138. The bore 138 shown is generally
23 rectangular, but other shapes are suitable as is apparent
24 from the following description of the pivot bar 134. The
25 bore 138 is stepped, that is, different parts of the bore
26 have different cross-sectional dimensions and shapes. One
27 end of the bore defines a mouth 140 slightly wider than the
28 pivot bar 134 to facilitate installation and allow slight
29 flexing thereof. A main part 142 of the bore is sized to
30 snugly retain the pivot bar 134 therein. Another end of
31 the bore is circular in cross section and defines a stop
32 144 against which the pivot bar 134 abuts. Adjacent the
33 stop, a bottom wall is recessed to define a lip 146. The
34 pivot bar 134 has a U-shaped cross section of formed metal.
35 One end of the pivot bar is provided with laterally
36 extending flanges 148. A detent (not shown) projects from
37 a bottom wall of the pivot bar near another end. The pivot

1 bar 134 is located within the bore 138 of the housing 132
2 so that the pivot bar detent engages behind the lip 146 to
3 prevent longitudinal movement of the pivot bar in one
4 direction. An end of the pivot bar 134 engages the stop
5 144 to prevent longitudinal movement of the pivot bar in
6 another direction. The pivot bar projects from the housing
7 132 so that the flanges are spaced from the housing.

8 Referring to Fig. 7, the lower end of the sash stile
9 16 is provided with a notch 149 or slot to allow passage of
10 the pivot housing 132 therethrough. A second notch 150 or
11 slot is cut in a lower wall of the lower rail 18 to define
12 a pair of opposed edges 151. The second notch 150 is as
13 long as the housing 132.

14 Referring to Figs. 8 and 9, the housing 132 includes a
15 top wall 154, side walls 156, a rear wall 158, and a bottom
16 wall 160. The bottom wall 160 defines a flange 164 at the
17 bottom of the side and rear walls 156, 158. A plurality of
18 retainers 165 are provided at the side walls. The
19 retainers 165 are beveled in two directions. Each retainer
20 slopes outwardly in a downward direction and intersects an
21 engagement surface 167 to define a lip 169 spaced from the
22 flange 164. The engagement surface 167 is generally
23 perpendicular to the side wall 156, but preferably slopes
24 slightly upwardly. Preferably, the downward slope defines
25 an arcuate vertical camming surface 166 having an
26 increasing slope. Each retainer also slopes outwardly in a
27 forward direction to define a rearward camming surface 168
28 from the side wall 156 to a point on the lip 169. The
29 number and spacing of the retainers 165 depend on the
30 dimensions of the window sash and housing. One or more
31 protuberances 172 or rear flanges project from the rear
32 wall 158 and have a lip 174 or face spaced from the flange
33 164 to define a gap 175. A retainer 170 projects from the
34 top of the body near one end. The pivot assembly 26 is
35 installed similarly to the tilt latch as described above
36 with reference to Fig. 2.

1 The present disclosure describes several embodiments
2 of the invention, however, the invention is not limited to
3 these embodiments. Other variations are contemplated to be
4 within the spirit and scope of the invention and appended
5 claims.

CLAIM OR CLAIMS

WHAT IS CLAIMED IS:

- 1 1. A housing for installation in a window frame
2 having a window sash with a notch defining a pair of
3 opposed edges the housing comprising:
 - 4 side walls;
 - 5 a top wall extending beyond the side walls to
6 define a flange; and
 - 7 retainers at the side walls and spaced from the
8 flange for receiving one of the edges therebetween, wherein
9 each retainer is beveled to define a rearward camming
10 surface.
- 1 2. A housing according to claim 1 wherein each
2 retainer slopes outwardly from the side wall to define a
3 vertical camming surface.
- 1 3. A housing according to claim 2 wherein the
2 vertical camming surface is arcuate.
- 1 4. A housing according to claim 3 wherein the
2 vertical camming surface has an increasing slope.
- 3 5. A housing according to claim 1 wherein each
4 retainer defines a lip spaced from and parallel to the
5 flange for receiving one of the edges therebetween.
- 1 6. A housing according to claim 5 wherein the lip is
2 spaced from the side wall by an engagement surface
3 projecting from the side wall and spaced from the flange
4 for engaging one of the edges.

1 7. A housing according to claim 1 wherein each
2 retainer defines an engagement surface projecting from the
3 side wall and spaced from the flange for engaging one of
4 the edges.

1 8. A housing according to claim 1, further
2 comprising a pivot bar projecting from the housing.

1 9. A housing according to claim 1, further
2 comprising a movable bolt projecting from the housing.

1 10. A housing for installation in a window frame
2 having a window sash with a notch defining a pair of
3 opposed edges the housing comprising:

4 side walls;
5 a top wall extending beyond the side walls to
6 define a flange; and

7 retainers at the side walls, each retainer having
8 a lip spaced from the flange for receiving one of the edges
9 therebetween, wherein each retainer is beveled to define a
10 rearward camming surface.

1 11. A housing according to claim 10 wherein the
2 retainers project from the side walls.

1 12. A housing according to claim 10, wherein the
2 housing is provided with plural retainers for receiving one
3 of the edges between the retainer and the flange and each
4 being beveled to define a rearward camming surface.

1 13. A housing according to claim 10, wherein each
2 retainer is beveled to define a vertical camming surface.

1 14. A housing according to claim 10, further
2 comprising a rear wall of the housing and a rear
3 protuberance projecting from the rear wall and spaced from
4 the flange to define a gap for receiving the rear edge of
5 the notch.

1 15. A housing according to claim 9, further
2 comprising a bottom wall and a retainer projecting from the
3 bottom wall near a front edge of the bottom wall.

1 16. A housing according to claim 10 wherein the lip
2 is spaced from the side wall by an engagement surface
3 projecting from the side wall and spaced from the flange
4 for engaging one of the edges.

1 17. A housing according to claim 10, further
2 comprising a pivot bar projecting from the housing.

1 18. A housing according to claim 10, further
2 comprising a movable bolt projecting from the housing.

1 19. A window sash assembly comprising:
2 a sash having a header rail and a stile joined at
3 a corner and having an opening in the sash; and
4 a tilt latch disposed in the opening including a
5 housing having side walls, a rear wall, and a bottom wall;
6 a top wall extending beyond the side walls and rear wall to
7 define a flange; and a retainer projecting from each of the
8 side walls, each retainer having an engagement surface
9 spaced from the flange for receiving one of the edges
10 therebetween, wherein each retainer is flared to define a
11 vertical camming surface beveled to define a rearward
12 camming surface; and a bolt movably disposed in the housing
13 and adapted for engaging a slide channel.

1 ABSTRACT OF THE DISCLOSURE

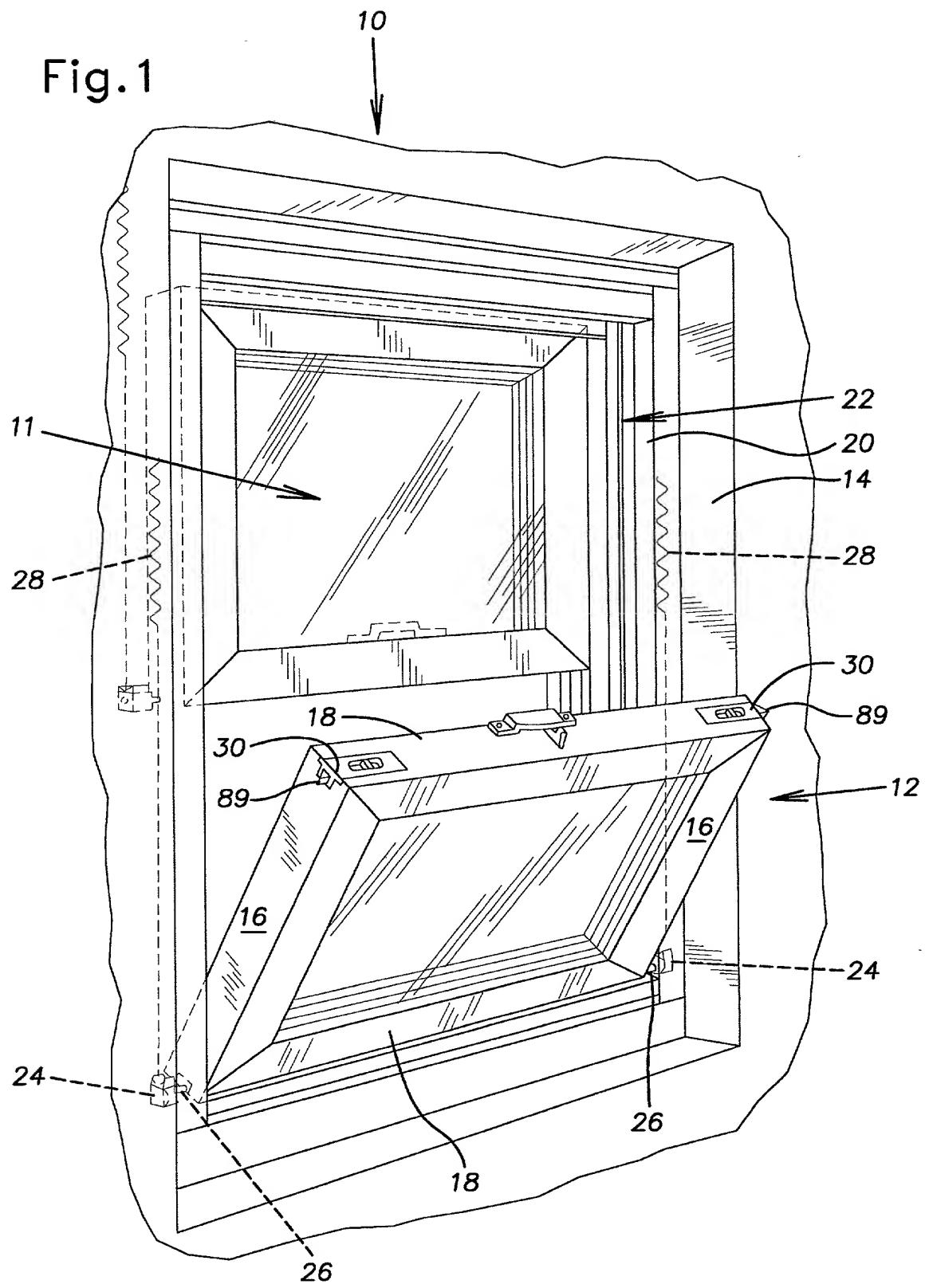
2 Plural retainers are provided along each side of a
3 tilt latch or pivot housing. The retainers each form an
4 engagement surface that engages an edge of a notch in a
5 window sash. The tilt latch retainers are flared upwardly
6 and beveled rearwardly to facilitate installation
7 longitudinally or vertically. The pivot retainers are
8 flared downwardly and beveled rearwardly to facilitate
9 installation longitudinally or vertically.

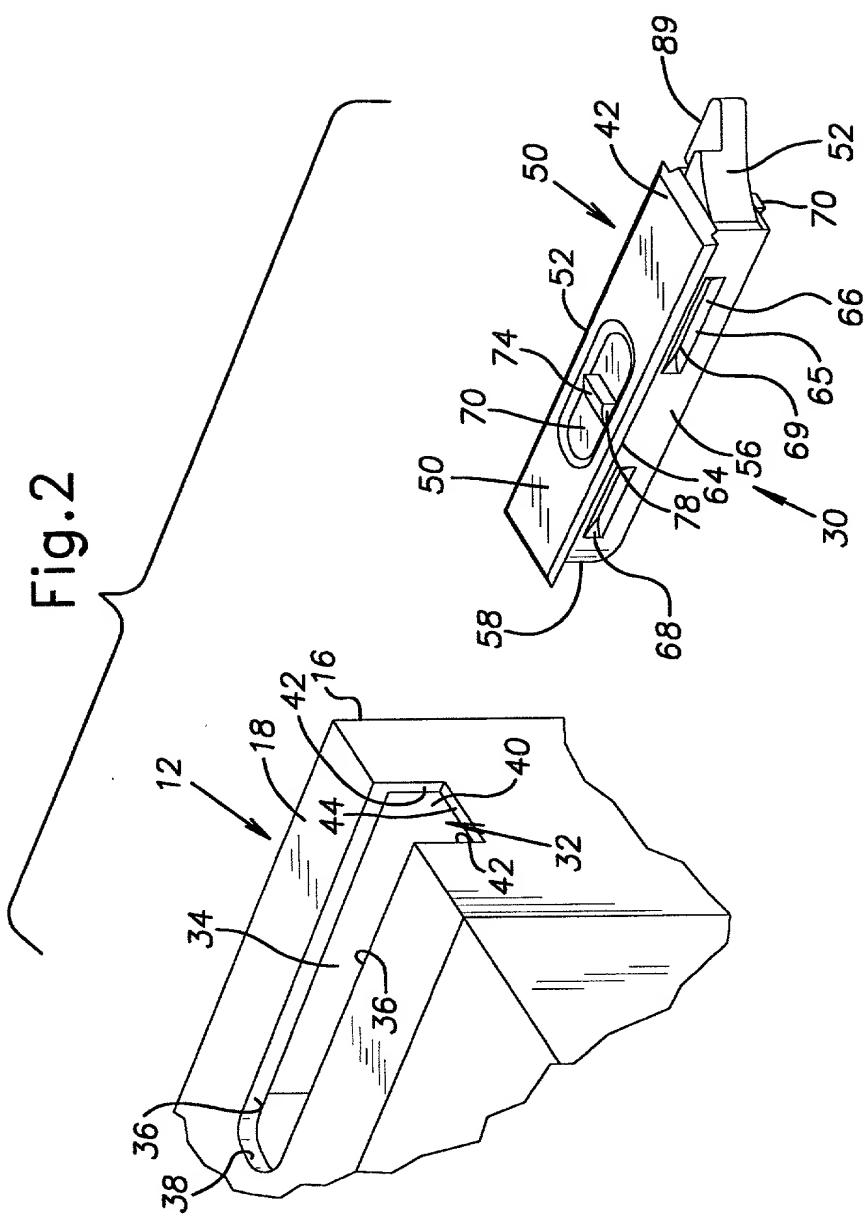
10 SEQUENCE LISTING

11 Not Applicable

GOVERNMENT EDITION - 100% RETAINERS

Fig.1





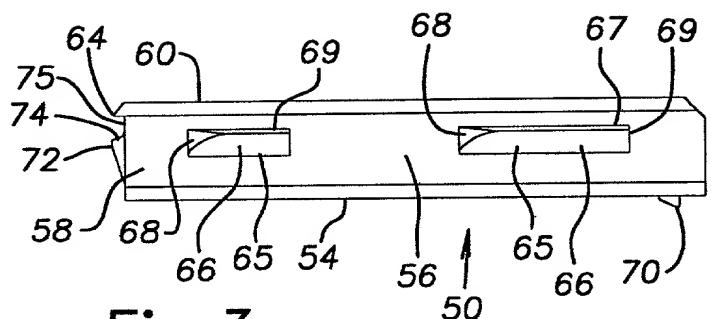


Fig.3

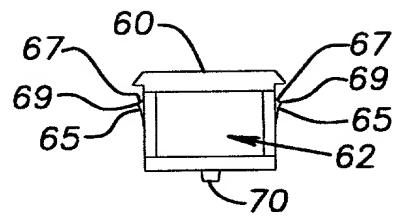


Fig.4

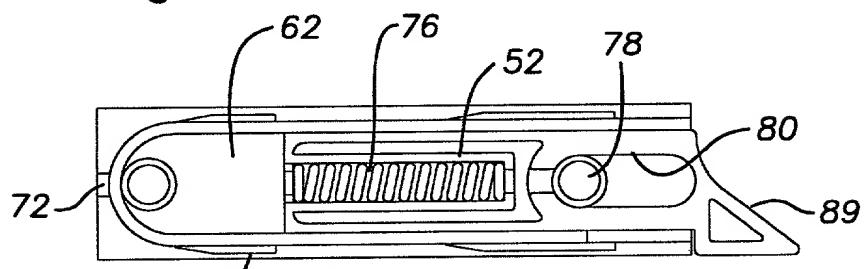


Fig.5

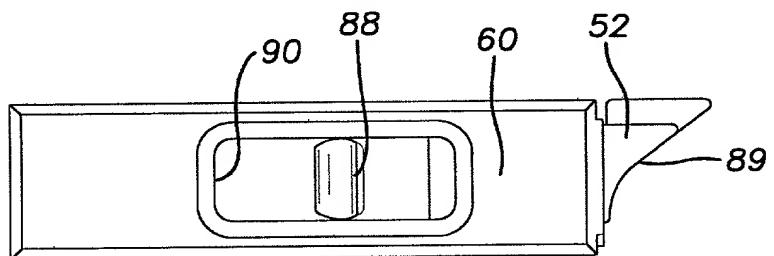


Fig.6

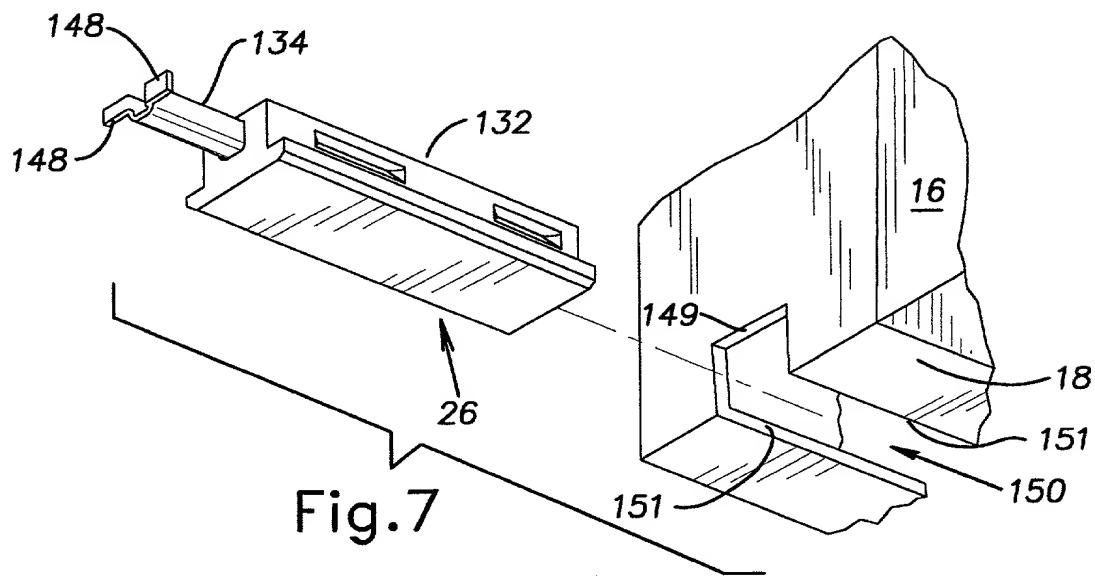


Fig.7

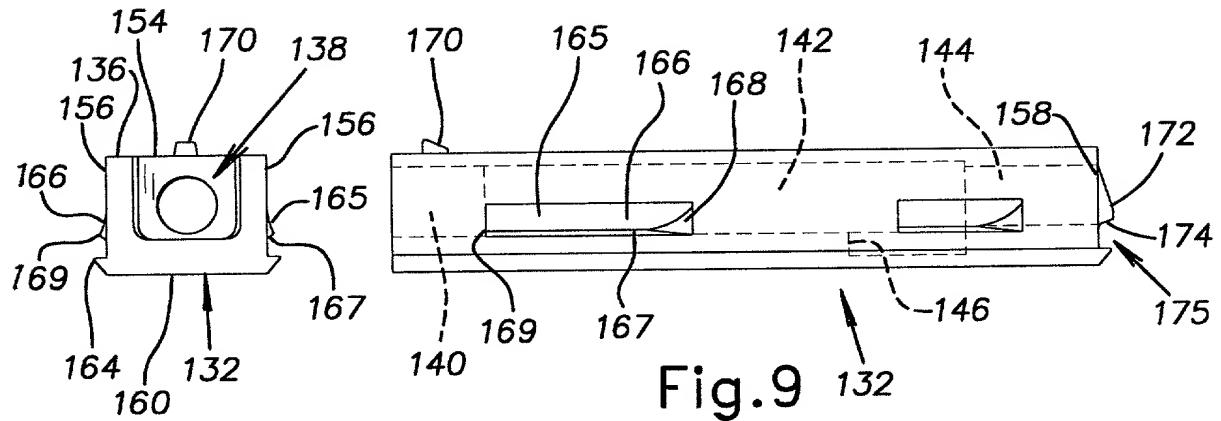


Fig.8

Fig.9

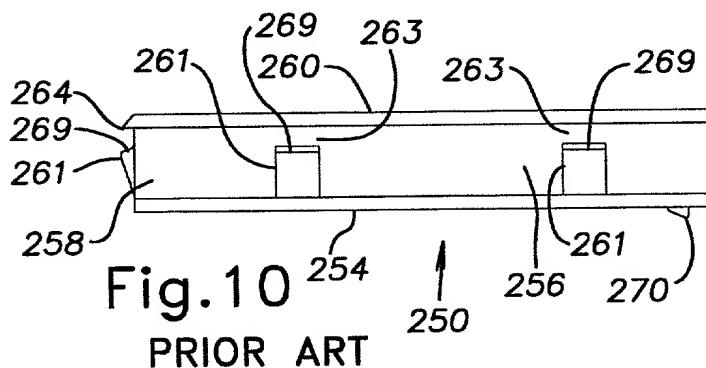


Fig.10

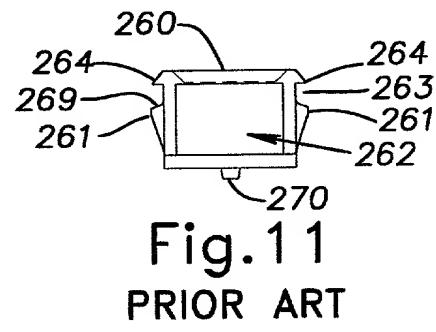


Fig.11

PRIOR ART

DECLARATION AND POWER OF ATTORNEY
(Sole Inventor)

I, Robert G. Maier, hereby declare that I am a citizen of Canada and a resident of Hudson, Ohio; that I have reviewed and understand the content of the attached specification, including the claims (Pearne, Gordon, McCoy & Granger Docket No. 30866), and I believe that I am the original, first, and sole inventor of the subject matter which is claimed therein and for which a patent is sought on the invention or discovery entitled

**"HOUSING ASSEMBLY WITH BEVELED RETAINERS FOR
INSTALLATION IN A WINDOW FRAME"**

and that I acknowledge my duty to disclose information of which I am aware which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby designate the following as my mailing address and telephone number:

Pearne, Gordon, McCoy & Granger
1200 Leader Building
Cleveland, Ohio 44114
(216) 579-1700

and appoint each of the following as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Charles B. Gordon, Reg. No. 16923	Jeffrey J. Sopko, Reg. No. 27676
William C. McCoy, Reg. No. 16885	John P. Murtaugh, Reg. No. 34226
Richard H. Dickinson, Jr., Reg. No. 18622	James M. Moore, Reg. No. 32923
Thomas P. Schiller, Reg. No. 20677	David E. Spaw, Reg. No. 34732
David B. Deioma, Reg. No. 22841	Michael W. Garvey, Reg. No. 35878
Joseph J. Corso, Reg. No. 25845	Paul R. Katterle, Reg. No. 36563
Howard G. Shimola, Reg. No. 26232	Richard M. Mescher, Reg. No. 38242
	M. David Galin, Reg. No. P41767

I further declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Robert G. Maier

Date

Sept. 2-98

Post Office Address: 40 Prescott, Hudson, Ohio 44236